

UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF PENNSYLVANIA

CHRISTOPHER FURNARI,

Petitioner

vs.

UNITED STATES PAROLE  
COMMISSION, et al.,


Respondents

No. 3:CV-12-2378

(Judge Nealon)

FILED  
SCRANTON

NOV 14 2014

PER  DEPUTY CLERK

**ORDER**

**AND NOW, THIS 13<sup>th</sup> DAY OF NOVEMBER, 2014**, upon consideration of the above captioned petition for writ of habeas corpus, filed on behalf of Christopher Furnari, an inmate formerly confined in the Allenwood Federal Correctional Institution, White Deer, Pennsylvania, in which Petitioner seeks to be released from the Bureau of Prisons, (Doc. 1), and it appears from the Federal Bureau of Prisons' Inmate Locator, that on September 19, 2014, Petitioner was released from custody, see <http://www.bop.gov>, and that Furnari's petition for writ of habeas corpus has been rendered moot by virtue of his release from federal custody as there is no longer a live case or controversy,<sup>1</sup> **IT IS**

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Article III of the Constitution provides that the 'judicial Power shall extend to. . . Cases. . . [and] to Controversies.' U.S. Const. art. III, §§2. This grant of authority embodies a fundamental limitation restricting the federal courts to the adjudication of 'actual, ongoing

**HEREBY ORDERED THAT:**

1. The petition for writ of habeas corpus, (Doc. 1), is **DISMISSED** as moot.
2. The Clerk of Court is directed to **CLOSE** this case.



United States District Judge

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cases or controversies.’ Khodara Env’tl., Inc. v. Beckman, 237 F.3d 186, 192-93 (3d Cir. 2001). The mootness doctrine is centrally concerned with the court’s ability to grant effective relief: ‘If developments occur during the course of adjudication that eliminate a plaintiff’s personal stake in the outcome of a suit or prevent a court from being able to grant the requested relief, the case must e dismissed as moot.’ Blanciak v. Allegheny Ludlum Corp., 77 F.3d 690, 698-99 (3d Cir. 1996). Moreover, the requirement that an action involve a live case or controversy extends through all phases of litigation, including appellate review. See Khodara Env’tl., Inc., 237 F.3d at 193 (citing Lewis v. Continental Bank Corp., 494 U.S. 472 (1990)).

County of Morris v. Nationalist Movement, 273 F.3d 527, 533 (3d Cir. 2001). Finally, federal habeas corpus review is available only “where the deprivation of rights is such that it necessarily impacts the fact or length of detention.” Leamer v. Fauver, 288 F.3d 532, 540 (3d Cir. 2002).